

## CHAPTER 17.88

## HISTORIC OVERLAY (HO)

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**17.88.010 Purpose.**

It is the purpose of this chapter to designate, establish, and/or preserve areas or individual structures, within any established zoning district, having historical significance for the benefit of owners and the general public. It is further the purpose of this chapter, to encourage uses which will support the continuance, conservation, and improvement of such uses in a manner appropriate to the preservation of the historic heritage of the city; to restrict environmental influences adverse to such purposes; and to insure that new structures and uses within such areas shall complement the character of the district. (Ord. 5-91 (part), 1991)

**17.88.020 Historical significance criteria.**

Structures or areas will be considered for historic overlay zoning if they are:

A. Constructed fifty or more years previous to the year the application for historic overlay zoning is submitted; or

B. Associated with a figure of local importance, who had an impact on the settlement of the city or Natrona County, made a substantial contribution to the local retail business economy, local building or construction industry, or figured prominently in acquiring statehood for Wyoming; or

C. An example of an architectural style which is unique locally, or on a statewide basis, or which is one of a few remaining examples of an architectural style on a local or statewide basis; or

D. The first known structure(s) to be used for a particular purpose on a local or Statewide basis; or

E. Established as having been committed to the same use over a period of fifty or more years on a business, industrial, governmental, or commercial basis.

No structure shall be considered for historic overlay zoning if it has been so structurally altered as to destroy its historical integrity, as determined by the council. (Ord. 5-91 (part), 1991)

**17.88.030 Preparation of proposals for historic overlay zoning.**

Proposals for HO zoning may be submitted by any owners. The council and the commission will work with owners of real property under consideration and may request input from historical associations and other organizations in preparing said proposals.

A. Each proposal shall contain the following information:

1. Proposed boundaries,
2. Proposed boundaries for transitional areas,
3. A report containing:

a. An analysis of existing structure(s) by period of construction (if known); architectural style (if known); local, state, regional historical importance; historical prominence of persons associated with the area or structure(s); condition; present use; and other matters relating to planning or regulating future development, such as, but not limited to, location on lot(s), location of yards and other open spaces, access to the interior of the block, and off-street parking provided. In addition to general analysis, two specific and detailed classifications shall be established:

i. A classification of individual structures and premises of substantial public interest, with maps, photographs, and other data indicating the public importance to be preserved,

ii. A classification of existing structures, premises, and uses which may have adverse effects on the desired character of the area or structure, including those adjacent to the area or structure, with maps, photographs, and other data indicating the reasons for such classification,

B. A description of lands not occupied by structures, including lands near the proposed HO zone;

C. If applicable, plans for public action in or adjoining the proposed HO zone which may affect its character or development. (Ord. 5-91 (part), 1991)

**17.88.040 Procedures.**

A. The above information must be submitted to the planning director. The planning director will forward a copy of the information to the Fort Caspar Museum and Interpretive Center director who will review the proposal for compliance with the historical significance criteria.

B. Within fifteen working days of receipt of the proposal, the planning director will forward his recommendation, the museum director's comments, and the proposal to the city historic preservation commission. The commission shall consist of seven

members appointed by council, one of whom shall be the chairman of the planning commission, one of whom shall be a licensed engineer/architect, with the remainder of the commission selected for their historical architecture expertise and interest in historically significant sites in the city. The committee shall be advisory in nature only. The committee will review the proposal for compliance with historical significance criteria. The commission will submit historic overlay zone to the planning commission and will state the reasons for its recommendation in writing.

C. The proposal, the commission's recommendations, and the reviews of the planning director and the city's museum director shall be forwarded to the planning commission. The planning commission shall consider the above information at a public hearing to hear comments from interested parties. The hearing will be held at the first regularly scheduled planning commission meeting after consideration of the proposal by the commission. The plan-

ning commission will then forward their recommendation to the city council.

D. The commission's recommendation and the proposal will then be considered by the council at a public hearing as provided in Section 17.12.170. The council shall make the final determination as to whether to approve or deny the proposed HO zone. (Ord. 5-91 (part), 1991)

#### **17.88.050      Removal of historic overlay zone.**

The historic overlay may be removed from any area or structure(s) upon application to and approval of the council, if it is proven by the owner that:

A. The structure(s) has deteriorated so that it is no longer safe;

B. That reasons exist which make it no longer feasible for the owner(s) to adhere to historic overlay guidelines established for the area or structure(s). (Ord. 5-91 (part), 1991)